

November 11, 2020

**VIA CM/ECF**

Honorable Robert M. Levy  
Theodore Roosevelt Courthouse  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Varn v. Orchestrade, Inc. et al., No. 1:19-cv-02875-MKB-RML

Dear Judge Levy,

We represent the parties in the above-captioned action. We write to jointly request a three-month extension of the deadline for the close of fact discovery from November 30, 2020 to February 26, 2021.

The original fact discovery deadline was set at the initial pretrial conference held before this Court on May 7, 2020. (*See Minute Entry*, dated May 7, 2020) Thereafter, the parties engaged in pre-mediation discovery and a mediation was held on June 16, 2020 but was not successful in resolving the case. (*See Report of Mediation Unsettled*, dated June 17, 2020)

Since resuming discovery after the mediation, the parties have conferred and agree that fact discovery will take longer than anticipated at the initial pretrial conference. Accordingly, we respectfully request that the deadline for the close of fact discovery be extended by three months, from November 30, 2020 to February 26, 2021. There have been no previous requests for an extension, and this Court has not entered a scheduling order for this action setting any other deadlines.

We thank the Court for its consideration of this request.

Respectfully submitted,

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